

# Senate File 2039 - Introduced

SENATE FILE \_\_\_\_\_  
BY ANGELO

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the sale of certain seized rifles and shotguns  
2 by county law enforcement agencies at a public auction.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5088XS 82  
5 rh/nh/5

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1 1 Section 1. Section 809.21, Code 2007, is amended to read  
1 2 as follows:  
1 3 809.21 SALE OF CERTAIN AMMUNITION AND FIREARMS.  
1 4 1. Ammunition Except as provided in subsection 2,  
1 5 ammunition and firearms which are not illegal and which are  
1 6 not offensive weapons as defined by section 724.1 may be sold  
1 7 by the department of public safety at public auction. The  
1 8 department of public safety may sell at public auction  
1 9 forfeited legal weapons received from the director of the  
1 10 department of natural resources, except that rifles and  
1 11 shotguns shall be retained by the department of natural  
1 12 resources for disposal according to its rules.  
1 13 2. Rifles and shotguns which are not illegal and which are  
1 14 not offensive weapons as defined by section 724.1 may be sold  
1 15 by the county law enforcement agency seizing such rifles or  
1 16 shotguns at public auction.  
1 17 3. The sale of ammunition or firearms pursuant to this  
1 18 section shall be made only to federally licensed firearms  
1 19 dealers or to persons who have a permit to purchase the  
1 20 firearms. Persons who have not obtained a permit may bid on  
1 21 firearms at the public auction. However, persons who bid  
1 22 without a permit must post a fifty percent of purchase price  
1 23 deposit with the commissioner of public safety, or the county  
1 24 law enforcement agency, as applicable, on any winning bid. No  
1 25 transfer of firearms may be made to a person bidding without a  
1 26 permit until such time as the person has obtained a permit.  
1 27 If the person is unable to produce a permit within two weeks  
1 28 from the date of the auction, the person shall forfeit the  
1 29 fifty percent deposit to the department of public safety, or  
1 30 the county law enforcement agency, as applicable.  
1 31 4. a. All proceeds of a public auction held pursuant to  
1 32 this section subsection 1, less department expenses reasonably  
1 33 incurred, shall be deposited in the general fund of the state.  
1 34 The department of public safety shall be reimbursed from the  
1 35 proceeds for the reasonable expenses incurred in selling the  
2 1 property at the auction.  
2 2 b. All proceeds of a public auction held pursuant to  
2 3 subsection 2, less expenses reasonably incurred, shall be  
2 4 retained by the appropriate county treasurer for deposit in  
2 5 the general fund of the county.  
2 6 EXPLANATION  
2 7 This bill relates to the sale of certain seized rifles and  
2 8 shotguns by county law enforcement agencies at a public  
2 9 auction.  
2 10 The bill provides that rifles and shotguns which are not  
2 11 illegal and which are not offensive weapons as defined by Code  
2 12 section 724.1 may be sold by the county law enforcement agency  
2 13 seizing such rifles or shotguns. All proceeds of such a  
2 14 public auction shall be retained by the appropriate county  
2 15 treasurer for deposit in the general fund of the county.  
2 16 LSB 5088XS 82  
2 17 rh/nh/5